

## REMARKS

### **I. General.**

Applicant thanks the Examiner for indicating the presence of allowable subject matter in the present application.

Applicant respectfully requests that the docket number in the present application be changed from GTDV120953 to 80100/007.

Claims 1, 2, 9, 20, 24, and 28 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,333,998 to Shook (hereinafter referred to as "Shook"). For at least the reasons that follow, Applicant respectfully requests reconsideration and withdrawal of the rejections based on Shook.

Applicant respectfully points out that the Examiner indicates that claim 15 is allowable, yet indicates that it is rejected it on page 2. Since claim 14 has been allowed and claim 15 depends from claim 14, Applicant believes that claim 15 has in fact been deemed allowable by the Examiner. Should the Examiner disagree, Applicant would appreciate an indication of such in any subsequent action.

### **II. Shook does not teach or suggest all the elements of claims 1, 2, 9, 20, 24, and 28.**

Independent claims 1, 13, and 24 recite that the gripping device is rotatable about the central axis of the of the actuation member between a locked position, not merely a position, wherein interference of the first engagement surface of the first interference surface couples the gripping device to the actuation member. According to the Examiner, Shook teaches this element "when clutch member 5' is shifted toward and engaged to the clutch member 5". However, for at least the reasons that follow, Applicant submits that this position could not be reasonably construed as a "locked position".

The scope of claims in patent applications are not determined solely on the basis of the claim language, but upon giving claims their broadest reasonable construction in light of the specification as it would be interpreted by one of ordinary skill in the art. M.P.E.P. § 2111, citing Phillips v. AWH Corp., 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005). One of ordinary skill in the art would simply not construe the position where the clutch member 5' is shifted toward and engaged with the clutch member 5 as being a locked position, as the Examiner contends. In order to maintain this position, a user must exert physical force sufficient to overcome the biasing force exerted by member E. Removal

of a user's physical force automatically results in the clutch member 5 returning to the position shown in FIG. 1.

Thus, the position which the Examiner contends is a locked position is only maintained by the application of physical force by a user. Applicant submits that an interpretation, which expands the scope of the term locked position to include situations where a position is maintained only through the exertion of physical force by a user is unreasonable. For example, such an interpretation is akin to contending that a door is locked or in a locked position merely because someone is exerting a physical force to keep it shut. Plainly such an interpretation is not a reasonable broad construction, just as it is not reasonable to construe the position where the clutch member 5' is shifted toward and engaged with the clutch member 5 as being a locked position. Accordingly, for at least this reason, Applicant respectfully requests reconsideration and allowance of claims 1, 2, 9, 20, 24, and 28.

### **III. Conclusion**

Applicant submits that the subject matter of the present application is novel, nonobvious, and useful. Accordingly, Applicant respectfully requests that the rejections and objections be withdrawn and that the present application issue as early as possible.

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/Michael Pruden/  
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